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(See Next Page For Additional Counsel)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAI‘I**

STATE OF HAWAI‘I and ISMAIL ELSHIKH,
Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as
President of the United States; U.S.
DEPARTMENT OF HOMELAND
SECURITY; JOHN F. KELLY, in his official
capacity as Secretary of Homeland Security;
U.S. DEPARTMENT OF STATE; REX
TILLERSON, in his official capacity as
Secretary of State; and the UNITED STATES
OF AMERICA,

Defendants.

Civil Action No. 1:17-cv-00050-
DKW-KSC

**DECLARATION OF NEAL K.
KATYAL IN SUPPORT OF
PLAINTIFFS’ MOTION TO
ENFORCE OR, IN THE
ALTERNATIVE, TO
MODIFY PRELIMINARY
INJUNCTION; EXHIBITS A,
B, C, D, E, & F IN SUPPORT
OF PLAINTIFFS’ MOTION
TO ENFORCE OR, IN THE
ALTERNATIVE, TO
MODIFY PRELIMINARY
INJUNCTION;
CERTIFICATE OF
SERVICE**

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**DECLARATION OF NEAL K. KATYAL IN SUPPORT OF PLAINTIFFS’
MOTION TO ENFORCE OR, IN THE ALTERNATIVE, TO MODIFY
PRELIMINARY INJUNCTION**

I, NEAL K. KATYAL, hereby state and declare as follows:

1. I am counsel for Plaintiffs, the State of Hawai‘i and Ismail Elshikh. I have personal knowledge of and am competent to testify to the truth of the matters stated herein. This Declaration is submitted in support of Plaintiffs’ Motion to Enforce or, In the Alternative, to Clarify Preliminary Injunction, filed concurrently herewith.

2. Attached as Exhibit A is a true and correct copy of a Department of State cable, received by Plaintiffs from third parties on June 29, 2017, which purports to provide guidance to consular offices regarding enforcement of Section 2(c) of Executive Order 13780.

3. Attached as Exhibit B is a true and correct copy of an untitled guidance document prepared by the Department of State and received by counsel for Plaintiffs from counsel for Defendants on June 29, 2017. Counsel for Defendants represented that this guidance soon would be publicly available online.

4. Attached as Exhibit C is a true and correct copy of Department of State guidance entitled “Executive Order on Visas” (June 29, 2017), *available at*: <https://travel.state.gov/content/travel/en/news/important-announcement.html>.

5. Attached as Exhibit D is a true and correct copy of the Declaration of Lawrence E. Bartlett filed in this action on July 3, 2017 at Dkt. 301-1 in support of Defendants' Opposition to Emergency Motion to Clarify Scope of Preliminary Injunction.

6. Attached as Exhibit E is a true and correct copy of the Declaration of Lawrence E. Bartlett, Director, Office of Admissions, Bureau of Population, Refugees, and Migration, United States Department of State, publicly filed on January 1, 2016 in *Texas Health & Human Servs. Comm'n v. United States of Am., et al.*, Civ. Action No. 3:15-cv-3851 (DCG) (N.D. Tex.) at ECF No. 46-1.

7. Attached as Exhibit F is a true and correct copy of a Department of State email sent by Lawrence E. Bartlett to Voluntary Agencies on July 3, 2017, and provided to counsel for Plaintiffs by a third party (email addresses and recipient names have been redacted).

I declare under penalty of perjury that the foregoing is true and correct.

DATED: Washington, D.C., July 8, 2017.

/s/ Neal K. Katyal
Neal K. Katyal